

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

DRAKE A. EDWARDS,

Plaintiff,

:

Case No. 3:14-cv-374

-vs-

District Judge Thomas M. Rose

Magistrate Judge Michael R. Merz

DAYTON VETERANS MEDICAL CENTER,

Defendant.

:

ORDER ADOPTING REPORT AND RECOMMENDATIONS

The Court has reviewed the Report and Recommendations of United States Magistrate Judge Michael R. Merz (Doc. #17), to whom this case was referred pursuant to 28 U.S.C. § 636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby ADOPTS said Report and Recommendations.

Accordingly, it is hereby ORDERED that Plaintiff's Motion to Proceed on Appeal *in forma pauperis* (Doc. #15) is DENIED. The Court also certifies to the United States Court of Appeals that the appeal, already taken and assigned #15-3402, is objectively frivolous.

April 28, 2015

*s/Thomas M. Rose

Thomas M. Rose
United States District Judge